

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

WILMINGTON SAVINGS FUND SOCIETY,
FSB,

Plaintiff,

vs.

PHL VARIABLE INSURANCE COMPANY,

Defendant.

Case No.: 13-mc-80098 JSW (KAW)

**ORDER DENYING MOTION TO QUASH
AND FOR PROTECTIVE ORDER
WITHOUT PREJUDICE**

On May 6, 2013, PHL Variable Insurance Company moved to quash a subpoena issued to third party Richard Henley, and for a protective order. The Clerk opened a miscellaneous action for the motion. The underlying case is pending in the District of Delaware.

The court stayed compliance with the subpoenas pending a ruling on a motion to stay discovery in the District of Delaware. In their last status report, the parties indicated that the judge presiding over the Delaware action stayed all non-party discovery in the case.

Accordingly, the motion to quash is denied without prejudice to re-filing once the stay is lifted.

The Clerk shall close this miscellaneous action.

IT IS SO ORDERED.

DATE: March 25, 2014


KANDIS A. WESTMORE
United States Magistrate Judge